THE HON'BLE SRI JUSTICE V.V.S.RAO

WRIT PETITION No.4214 of 2007

Dated:02.03.2007

Between:

Ramavathar Singh and another.

…Petitioners

and

State of A.P., and others.

…Respondents

THE HON'BLE SRI JUSTICE V.V.S.RAO

WRIT PETITION No.4214 of 2007

ORDER:

The petitioners own urban land admeasuring 1,20,810.42 square metres situated in Survey Nos.68 and 111 situawted at Amjadowla Village of Bandlaguda Mandal in Hyderabad District and other survey numbers within Hyderabad agglomeration. By orders dated 01.12.1993, they were declared surplus vacant land holders. They preferred appeal before the second respondent under Section 33 of the Urban Land (Ceiling and Regulation) Act, 1976 (for short 'the Act'). This appeal was disposed of and the matter was remanded to the third respondent, who again by proceedings dated 07.10.2006 determined the surplus vacant land in the holding of the petitioners. Aggrieved thereby, they preferred an appeal in January 2007. The second respondent admitted the appeal and ordered notice on 23.01.2007. In the meanwhile, the third respondent published notification under Section 10(3) of the Act in the Andhra Pradesh Gazette No.22, dated 22.01.2007, and a consequential notice under Section 10(5) of the Act calling upon the petitioners to deliver possession of the surplus land. It appears, along with the appeal, the petitioners also filed an application for stay of the proceedings of the third respondent, which is still pending. As the third respondent got issued notifications under Sections 10(3) and (5) of the Act, the present Writ Petition is filed.

After getting instructions, the learned Assistant Government Pleader for Revenue (Assignment) does not dispute that the appeal filed by the petitioners is pending. He also submits that the same is posted to 23.03.2007. Therefore, this Court observes that on that day, the second respondent should dispose of the stay application filed by the petitioners. Liberty is given to the petitioners to

obtain a copy of this order, and approach the second respondent even before 23.03.2007 and obtain necessary stay orders if there is a threat of dispossession pursuant to the notice under Section 10(5) of the Act dated 20.02.2007.

The Writ Petition, with the above observations, is accordingly disposed of. No costs.

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(V.V.S.RAO, J)

02.03.2007
vs